

IN THE UNITED STATES MIDDLE DISTRICT COURT
STATE OF ALABAMA

GEORGE PARKER
AIS# 140922
Plaintiff

vs.

Gwendolyn Givens et al.,
Defendants

RECEIVED
2006 SEP 20 A 9:36

2006 OCT 18 A 9:55 2006 SEP 15 A 10:04

CV-649-WHA
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

ANSWER

THE SPECIAL REPORT OF THE PLAINTIFF ACCORDINGLY TO FCRP56(e)

PARTIES TO THIS CIVIL SUIT

Defendents;

(A). GWENDOLYN GIVENS, COII
STATON CORRECTIONAL FACILITY
P.O. BOX 56
ELMORE ALABAMA 36025

(F). LEVAN THOMAS, WARDEN II
STATON CORR, FACILITY
P.O. BOX 56
ELMORE ALABAMA 36025

(B). SHARON ROGERS, COII
STATON CORRECTIONAL FACILITY
P.O. BOX 56
ELMORE ALABAMA 36025

(G). PLAINTIFF
GEORGE PARKER#140922
P.O. BOX 56
ELMORE ALABAMA 36025

(C). ROOSEVELT LEWIS, COI
STATON CORRECTIONAL FACILITY
P.O. BOX 56
ELMORE ALABAMA 36025

PREPARED BY:

(H). MARCUS TATE 180664
D-3-2-T /SCC
P.O. BOX 56
ELMORE ALABAMA 36025

Marcus O. Tate
MARCUS TATE

(D). RELFORD KENDRICK, COI
STATON CORRECTIONAL FACILITY
P.O. BOX 56
ELMORE ALABAMA 36025

(E). GRAYLING DAVIS, COI
STATON CORRECTIONAL FACILITY
P.O. BOX 56
ELMORE ALABAMA 36025

CONSENTED BY:

George Parker
GEORGE PARKER140922

PLAINTIFF DEFENSES

THE PLAINTIFF ASSERT THE FOLLOWING DEFENSES TO HIS CLAIMS

CASE LAWS

ANDERSON v LIBERTY LOBBY, INC 477 U.S. 317,91 L Ed 2d 265

CELOTEX CORP. v CATRETT 477 U.S. 317,91 L Ed 2d 265

STAUB v BAXLEY 2 L ed 2d 320(RIGHT OF FREE SPEECH)

GRIFFIN v. BRECKRIDGE 403 U.S. 88,29 L Ed 2d 338

TROP v. DULLES 356 U.S. 86 2 L Ed 2d 630

-Plaintiff Defenses Exhibits

- (A). EXHIBIT AFFIDAVIT OF PLAINTIFF EXHIBIT#(999) ATTACHED
- (B). PLAINTIFF EXHIBIT#(A) AR 403 pg# 6 of 23
- (C). Plaintiff EXHIBIT#(B). PRISON HEALTH SERVICES, INC
SICK CALL REQUEST COMPLAINT
- (D). Plaintiff EXHIBIT#(C) PRISON HEALTH SERVICES, INC
SICK CALL REQUEST COMPLAINT
- (E). PLAINTIFF EXHIBIT#(D). PRISON HEALTH SERVICES , INC
SICK CALL REQUEST COMPLAINT
- (F). PLAINTIFF EXHIBIT#(E) ALABAMA DEPARTMENT OF CORRECTIONAL
INMATE SUMMARY AS OF 08/23/2006
- (G). PLAINTIFF EXHIBIT#(F) INMATE SUMMARY AS OF 08/23/2006
- (H). EXHIBIT (B-1) of PLAINTIFF ALABAMA DEPARTMENT OF CORRECTIONA
L DISCIPLINARY REPORT (ALDOC FORM 225B)
DEFENDANTS AFFIDAVITS MADE IN BAD FAITH
ATTACHED
- (I). SEE EACH DEFENDANTS AFFIDAVITS MADE IN BAD FAITH FCRP56(g)
ATTACHED(A-B-C-D-E-F-G-H

DEFENDANTS AFFIDAVITS MADE IN BAD FAITH

ARGUMENT OF PLAINTIFF

- (1) DEFENDANTS MAKES NO(**GENUINE ISSUES**) OF FACTS ACCORDINGLY
TO ANDERSON v LIBERTY LOBBY, INC 447 U.S.

MADE IN BAD FAITH

- (2) EACH DEFENDANTS AFFIDAVITS WAS MADE IN BAD FAITH UNDER
AN ALABAMA STATE NOTARY PUBLIC OFFICIAL SEAL SEE FACTS
DEFENDANTS AFFIDAVITS(A - H) UNDER FCRP 56(g)

ARGUMENT OF PLAINTIFF# 2

- (3). PLAINTIFF SUFFER(**a**)EMOTIONAL DISTRESS, (**b**). PHYSICAL Distress
(**c**), AND MENTAL DISTRESS SEE EXHIBITS (PLAINTIFF EXHIBITS A-B)
ATTACHED PRISON HEALTH SERVICE COMPLAINT

EXCESSIVE FORCE TO DEPRIVE
PLAINTIFF FREEDOM SPEECH
TO HIMSELF AND NOT (ADOC)

ARGUMENT #3

CASE LAW STAUB v BAXLEY 2 L ed 2d 320 RIGHT OF FREE SPEECH
GAVE THE PLAINTIFF THE RIGHTS UNDER THE UNITED STATES CIVIL
RIGHTS CONSTITUTIONAL AMENDMENT(DEC 1st/2005 to speak freely
and to express himself to himself verberally SEE EXHIBIT (B-1)

CRUEL AND UNUSUAL PUNISHMENT

ARGUMENT # 4

- (5). THE PLAINTIFF HAVE A CONSTITUTIONAL RIGHT TO BE FREE FROM
CRUEL AND UNUSUAL PUNISHMENT UNDER CASE LAW
TROP v DULLES 356 U.S. 86 2 L Ed 2d 630
- (a) EACH DEFENDANTS ACTED UNDER THE COLORS OF STATE AND FEDERAL
LAWS CITING PURSUANT 42 USC 1985 (3) TO DEPRIVE THE PLAINTIFF
OF HIS CIVIL RIGHTS 1st,14th AMENDMENTS
- (b) FREEDOM OF SPEECH TO HIMSELF FACTS SEE AFFIDAVIT EXHIBIT#999
ACCORDINGLY TO FCRP 56(e)

JUDGEMENT OF A MATTER OF LAW

ARGUMENT # 5

THE PLAINTIFF SHOWS EACH DEFENDANTS SHOWS NO GENUINE ISSUES FOR
RELIEF UNDER CELOTEX CORP v CATRETT 477 U.S. 317, 91 L Ed 2d 265
SEE DEFENDANTS AFFIDAVITS MADE IN BAD FAITH FCRP 56(g)

CHAIN OF CUSTODY COMMAND

ARGUMENT # 6

(6). EACH DEFENDANTS ACTED UNDER THE (CHAIN OF COMMAND) IN
A CONSPIRACY UNDER CASE LAW GRIFFIN v BRECKRIDGE
403 U.S. 88,29.L Ed 2d 338 DEC/1st/2005 to deprive the
plaintiff of his U.S. CONSTITUTIONAL 14th and 1st AMENDMENT
UNDER EXCESSIVE FORCE TO WIT FOLLOWING

- (a). FREEDOM OF SPEECH SEE EXHIBIT# 999 ATTACHED and (EXHIBIT/B-1)
- (b). EQUAL PROTECTION OF LAWS
- (c) DUE PROCESS OF LAWS

FACE OF ADOC AGENCY

(7). THE PLAINTIFF NEVER STATED IN THE (FACE) OF ADOC HIS
EXPRESSION TO HIMSELF(FUCK THIS SHIT I,AM TIRED OF WAITING
YOU CAN WRITE IT UP SEE EXHIBIT (B-1) ATTACHED

FACE OF ADOC OFFICER ROOSEVELT LEWIS

(8). THE PLAINTIFF NEVER STATED TO OFFICER ROOSEVELT LEWIS
DEC/1st/2005 IN HIS(FACE) FUCK THIS SHIT I,AM TIRED OF
WAITING YOU CAN WRITE IT UP I DON'T GIVE FUCK

FACTS SEE EXHIBIT(B-1) AND EXHIBIT# 999 ATTACHED

SWORNED AFFADIVIT OF THE PLAINTIFF
EXHIBIT# 999 ATTACHED

ARGUMENT # 7

(9). THE PLAINTIFF ARGURE IN EXHIBIT# 999 ATTACHED AND THIS
SPECIAL REPORT ANSWER HE WAS EXPRESSING HIMSELF TO HIMSELF
DEC/1st/2005 at staton corr Health Care Unit
See Fact under FCRP 56(e)
CITING CASE LAW ANDERSON v LIBERTY LOBBY, Inc 477 U.S.317
91 L Ed 2d 265

ARGUMENT# 8

(10). THE PLAINTIFF ARGURE THAT THE FRIST AMENDMENT GIVES
HIM A RIGHT TO FREEDOM OF SPEECH SEE CASE LAW IN
SUPPORT STAUB v BAXLEY 2 L eD 2d 320 RIGHT TO FREE SPEECH

(4)

EQUAL PROTECTION OF LAW

ARGUMENT# 9

- (11). THE PLAINTIFF ARGURE THAT HE HAS A RIGHT UNDER THE 14th
FROM EXCESSIVE FORCE DEC/1st/2005
- (a) PURSUANT SEE EQUAL PROTECTION OF LAWS
- (b). SEE FREEDOM OF SPEECH

CRUEL AND UNUSUAL PUNISHMENT

ARGUMENT# 10

- (12). THE PLAINTIFF ARGURE THAT HE HAS A RIGHT FROM **CRUEL AND
UNUSUAL PUNISHMENT UNDER TROP v DULLES** CASE LAW
- (a). PURSUANT:

The Eighth Amendment, prohibiting cruel and unusual
punishment, draws its meaning from the evolving
standards of decency that mark the progress of a
maturing society at ADOC DEC/1st/2005

HISAY TESTIMONY AFFIDAVITS OF DEFENDANTS

ARGUMENT# 11

- (13). EACH DEFENDANTS GAVE HISAY TESTIMONY AFFIDAVITS IN THERE
**SPECIAL REPORT ANSWER UNDER FCRP 56(g) LYING IN A CHAIN
OF COMMAND UNDER PERJURY AND OATH OF LAW**
SEE FACTS EXHIBITS ATTACHED (A-H) DEFENDANTS AFFIDAVITS

JUDGEMENT OF MATTER OF LAW

- (14). THE Plaintiff move this court for judgement of a matter
law against defendants in the conspiracy
CITING GENUINE ISSUES OF FACTS IN ALL ARGUMENTS 1-11
UNDER FCRP 56(e) AND CELOTEX CORP v CATRETT 477 U.S.
- (a). THE PLAINTIFF MOVE FOR SUMMARY UNDER FCRP 56(c) AGAINST
EACH DEFENDANTS MAKING THERE AFFIDAVITS IN BAD FAITH
FCRP 56(g)

RELIEF COMPENSATION

- (15). THE PLAINTIFF MOVE THIS COURT AND DEMANDS DAMAGES RELIEF
UNDER CASE LAW GRIFFIN v BRECKRIDGE 403 U.S. 88 .29
TO WIT DAMAGES
- (a) COMPENSATORY DAMAGES TOTAL \$ 100.000 DOLLARS
- (b). PUNITIVE DAMAGES TOTAL \$ 100.000 DOLLARS

PHYSICAL DAMAGES TO PLAINTIFF

FOR RELIEF COMPENSATION

- (16) THIS FALSELY DISCIPLINARY AR 403 ADOC SANCTION CAN
STOP THE PLAINTIFF FROM PAROLE JAN/2012 see exhibit
E / of the plaintiff attached and EXhibit /A/ ATTACHED
AND EXHIBIT /B-1/

VISITION RIGHTS WAS RESTRICTED

- (17) THE PLAINTIFF LOST VISITION RIGHTS ON EXHIBIT(B-3)
- (18). THE PLAINTIFF LOST CANTEEN RIGHTS ON EXHIBIT(B-3)

EMOTIONAL DISTRESS, PHYSICAL DISTRESS,
MENTAL DISTRESS

- (19). THE PLAINTIFF SUFFER EMTIONAL DISTRESS, MENTAL DISTRESS,
AND PHYSICAL DISTRESS BEHIND THIS ILLEGALLY INCIDENT
OF DEC/1st/2005
SEE SICK CALLS COMPLAINTS ATTACHED

CORRECTION OF DATE

George Parker

GEORGE PARKER# 140922
TEL# 334-567-2221
P.O. BOX 56
ELMORE ALABAMA 36025

ALABAMA NOTARY PUBLIC

George Parker

GEORGE PARKER# 140922

SWORN TO AND SUBSCRIBED BEFORE ME THIS DAY OF 12th SEPT 2006

NOTARY Syrene Jenkins

COMMISSION EXPIRES: 03-06-09

CERTIFICATION OF SERVICE

I George Parker AIS#140922 swear to an affirm i have served this motion upon the UNITED STATES MIDDLE DISTRICT COURT Montgomery Alabama and have placed the Same Special Report to the Middle District Court for Defendant Attorney Tarra Knees Address is ALABAMA DEPARTMENT OF CORRECTIONS P.O. BOX 301501 Montgomery Alabama 36130 by Via mail prepaid postal Mailing Stamps Hand Deliver by the U.S. POSTAL MASTER GENERAL THIS DAY OF 17th MONTH OCT 2006

George Parker

GEORGE PARKER # 140922

D-3-2-B STATON CORRECTIONAL CENTER

TEL# 334-567-2221

P.O. BOX 56

ELMORE ALABAMA 36025

ALABAMA STATE NOTARY PUBLIC

COUNTY OF ELMORE ALABAMA

AFFIDAVIT SPECIAL REPORT ANSWER

AFFIDAVIT SPECIAL REPORT ANSWER

I GEORGE PARKER# 140922 SWEAR I HAVE SUBMITTED THE CORRECTFACTS UNDER FCRP 56(e) BEFORE THIS FEDERAL MAGISTRATE JUDGE DONE THIS DAY 17 MONTH OCT 2006

George Parker
GEORGE PARKER

Sworn to and subscribed before me this day 17 month Oct 2006

Notary Name; J Pearson

Commission Expires : 1-22-08

IN THE UNITED STATES MIDDLE DISTRICT COURT

STATE OF ALABAMA

GEORGE PARKER *

AIS# 140922

Plaintiff *

CV-649-WHA

vs.

GWENDOLYN GIVENS etal., *

Defendants *

EXHIBIT#(999)

SPECIAL REPORT AFFIDAVIT

THE PLAINTIFF

AFFIDAVIT STATEMENT OF PLAINTIFF

(A). THE PLAINTIFF STATES ALL DEFENDANTS (AFFIDAVITS) ARE MADE
IN BAD FAITH UNDER FCRP 56(g) SEE DEFENDANTS EXHIBITS

A-H

SEE ATTACHED) DEFENDANTS HISAY TESTIMONY
UNDER PERJURY AND OATH
BY AN NOTARY PUBLIC
OFFICIAL SEAL AND SIGNED

(B). EACH DEFENDANT ON THE EXHIBIT FACES (A,B,C,E,F,G,H) GAVE
HISAY TESTIMONY UNDER PERJURY AND UNDER AN ALABAMA STATE
NOTARY PUBLIC OFFICIAL SEAL AND SIGNED PURSUANT FCRP (56 g)
(SEE ATTACHED)

DEFENDANT ROOSEVELT LEWIS
AFFIDAVIT MADE IN BAD FAITH

(C). THE Plaintiff Deny Been (**INSUBORDINATION**) to Officer
Roosevelt Lewis on about DEC/1st/2005 when the plaintiff
made these statements and allegations out loudly to him
self verbrally EXPRESSING HIS RIGHTS TO A 1st 14th CIVIL
RIGHTS CONSTITUTIONAL AMENDMENT OF CITIZENS IN THESE U.S.
SEE ATTACHED DEFENDANT EXHIBIT(D)

Plaintiff STATEMENT ON EXHIBIT (B-1)
SEE ATTACHED FACTS

(D). THE PLAINTIFF NEVER STATED DEC/1/2005 NO NAME WHO
HE WAS SPEAKING TO SEE EXHIBIT (B-1_ ATTACHED

A.D.O.C AGENCY

(E). THE PLAINTIFF NEVER STATED(FUCK THIS SHIT (ADOC.)
I,am tired of waiting (SEE ATTACHED EXHIBIT B-1)

ADOC OFFICER ROOSEVELT LEWIS

(F). THE PLAINTIFF NEVER STATED TO OFFICER ROOSEVELT LEWIS
TO HIS(FACE)FUCK THIS SHIT I,AM TIRED OF WAITING
(SEE ATTACHED B-1)

AFFIDAVIT MADE IN BAD FAITH

(G). DEFENDANT ROOSEVELT LEWIS AFFIDAVIT EXHIBIT(D) IS MADE IN BAD
FAITH UNDER FCRP 56(g) SEE ALLEGATIONS MADE IN THIS
AFFIDAVIT ON IT FACE FROM (A-G)

AFFIDAVIT OF PLAINTIFF

Before me,the undersigned authority, a Notary Public in and said
County and State of Alabama at Large, personally appeared
Inmate GEORGE PARKER AIS# 140922 , who being known to me and
being by me first duly sworn, deposes and says on oath as
follows:

My name is George Parker. I,am presently at STATON CORRECTIONAL
CENTER P.O. BOX 56 ELMORE ALABAMA 36025

I,am over the age 21 and can stand trial and alleges facts
under FCRP 56(e)

George Parker
GEORGE PARKER # 140922
Tel# 334-567-2221
P.O. BOX 56
ELMORE ALABAMA 36025

NOTARY PUBLIC
STATE OF ALABAMA

SWORN AND SUBSCRIBED BEFORE ME THIS DAY 11th SEPT 2006

Notary J. H. Hester

TEL# 334-567-2221

COMMISSION EXPIRES: 1-22-08

ALDOC Form 225B

Exhibit B-1

C O P Y

D3-002

ALABAMA DEPARTMENT OF CORRECTIONS

DISCIPLINARY REPORT

1. Inmate: George Parker Custody: Medium AIS: B/140922

2. Facility: STATON CORRECTIONAL FACILITY

3. The above named inmate is being charged by Officer Roosevelt Lewis with violation of rule number 57 specifically Insubordination from regulation # 403 which occurred on or about December 1, 2005 at (time) 10:50 (am), Location: Staton Health Care Unit Holding Cage . A hearing on this charge will be held after 24 hours from service.

4. Circumstances of the violation(s) are as follows: On December 1, 2005, at Staton Correctional Facility, Officer Roosevelt Lewis was assigned as Staton Health Care Unit Officer. At approximately 10:50 a.m., Officer Lewis ordered Inmate George Parker B/140922 to keep down the noise while inside the holding cage. Inmate Parker stated to Officer Lewis, "Fuck this shit. I'm tired of waiting to be seen. You can write it up. I don't give a fuck." Inmate Parker's statements were disrespectful to Lawful Authority. Therefore, Inmate Parker is in violation of Rule-V#57, Insubordination.

December 1, 2005

Date

Officer Roosevelt Lewis, COI

Arresting Officer / Signature / Rank

5. I hereby certify that I have personally served a copy of the foregoing upon the above named inmate and I informed inmate of his/her right to present a written or oral statement at the hearing and to present written questions for the witnesses on this the 1st day of December, 2005, at (time) 3:08 (am)

Donald A. Davis COI
Serving Officer / Signature / Rank

Refused to sign / Donald A. Davis COI
Inmate's Signature / AIS Number

6. Witnesses desired?

(NO) George Parker
Inmate's Signature

YES

Inmate's Signature

7. If yes, list:

8. Hearing Date December 3, 2005 Time 8:00 a.m. Place Shift Commander Office

9. Inmate must be present in Hearing Room. If he/she is not present explain in detail on additional page and attach.

10. A finding is made that inmate (is) (is not) capable of representing himself.

Twendell J. [Signature]
Signature / Hearing Officer

11. Plea: Not Guilty George Parker Guilty

12. The Arresting Officer, Inmate, and all witnesses were sworn to tell the truth.

Twendell J. [Signature]
Signature / Hearing Officer

B-2

13. Arresting Officer's testimony (at the hearing): On December 1, 2005, at Staton Correctional Facility,
Officer Roosevelt Lewis was assigned as Staton Health Care Unit Officer. At approximately 10:50 AM,
Officer Lewis ordered Inmate George Parker, B/140922, to keep down the noise while inside the holding cage.
Inmate Parker stated to Officer Lewis, "Fuck this shit. I'm tired of waiting to be seen. You can write it up. I don't give a fuck."
Inmate Parker's statements were disrespectful to lawful authority.

14. Inmate's Testimony: Inmate George Parker, B/140922, pled guilty to the listed disciplinary
charge of Rule Violation #57 / Insubordination.

Witness: None submitted Substance of Testimony: .

Witness: None submitted Substance of Testimony: .

Witness: None submitted Substance of Testimony: .

15. The inmate was allowed to submit written question to all witnesses. Copy of questions and answers are attached.


 Signature / Hearing Officer

16. The following witnesses were not called - Reason not called

1. N/A
2. N/A
3. N/A

Exhibit B-3

17. After hearing all testimony, the Hearing Officer makes the following findings of fact: (Be Specific)
 The Hearing Officer finds that: On December 1, 2005, at approximately 10:50 AM, at Staton Correctional Facility, Inmate George Parker, B/140922, did state to Officer Roosevelt Lewis, "Fuck this shit. I'm tired of waiting to be seen. You can write it up. I don't give a fuck." Inmate Parker's remarks obviously reflected disrespect to Officer Lewis' lawful authority. This type of behavior will not be condoned nor tolerated at Staton Correctional Facility. Therefore, the hearing officer finds Inmate Parker guilty of Rule Violation #57/Insubordination.
18. Basis for Finding of Fact: This finding is based on the testimony of Officer Roosevelt Lewis, the arresting officer, who stated, under oath, that Inmate George Parker, B/140922, was insubordinate by stating, "Fuck this shit. I'm tired of waiting to be seen. You can write it up. I don't give a fuck." Inmate Parker's remarks were disrespectful to Officer Lewis' lawful authority. The hearing officer accepts Inmate Parker's guilty plea.
19. Hearing Officer's Decision: X Guilty Not Guilty
20. Recommendation of Hearing Officer: Loss of (90) days canteen and visitation.

Gwendolyn Givens
 Signature / Hearing Officer

Gwendolyn Givens, COII
 Typed Name and Title

21. Warden's Action – Date 12/6/05
Approved
 Disapproved
 Other (specify) _____

22. Reason if more then 30 calendar days delay in action. _____

23. I hereby certify that a completed copy of the foregoing Disciplinary Report was served on the above
 Named inmate on this the 8 day of December, 2005, at (time) 5:23 (am) (pm)
Off. Richard Givens, COII Refused to Sign (Off. Richard Givens)
 Signature / Serving Officer / Title Inmate's Signature and AIS Number

- A. Have a condensed version of all pertinent testimony typed on Form 225B using additional pages if necessary.
- B. Complete all spaces on Form 225B or put [N/A] (Not Applicable) in those appropriate spaces.
- C. Complete, in the appropriate space, specifically the findings of fact made by the Hearing Officer.
- D. Complete, in the appropriate space, specifically the basis for the findings of fact.
- E. Obtain all necessary signatures on the Disciplinary Report Form 225B.
- F. The Warden or his/her designee will approve or disapprove the findings and/or recommendations within ten (10) working days after hearing. The Warden may not disapprove a finding of "not guilty". If the Warden disapproves of the recommended punishment, he/she may order the punishment to be reduced.
- G. A completed signed copy of the disciplinary report will be served on the inmate as soon as possible without undue delay after the Warden's determination, and all approved punishments will begin at this time or at the time the inmate is placed in the segregation cell to begin serving disciplinary segregation. If the Warden determines that a security threat will exist by a delay in the imposition of punishment, he/she may order such punishment to begin at any time after the hearing is conducted.
- H. If the Warden approves the recommendation of the Hearing Officer, or a lesser punishment, he/she will:
 - 1. At units with computer terminal input capability: Coordinate with and forward or issue his/her comments and supporting documents to the institutional Social Service Coordinator. The Coordinator will insure the terminal operator takes the required action to effect the loss of good time in accordance with the Computer Terminal Operator's Manual, and implement classification procedures or other considerations. Institutional Social Services will forward/issue the completed and signed disciplinary report to the following:
 - a. One copy to the Board of Pardons and Parole.
 - b. One copy to the Director of Investigations and Intelligence in all cases where there has been a violation of Federal or State law.
 - c. Original to the Director of Central Records, stamped as "Entered" at the terminal, initialed by the operator, and dated on the date of entry.
 - d. One copy retained in the inmate's institutional file.



**PRISON HEALTH SERVICES, INC.
SICK CALL REQUEST**

Print Name: George Parker Date of Request: 9-11-06
ID # 140922 Date of Birth: 2-27-61 Location: D3-2B
Nature of problem or request: I am requesting to see the
Doctor because I am going through Mental Stress
and Emotional Distress and this is the 3rd time
I have put a request in to see the doctor
George Parker
Signature

DO NOT WRITE BELOW THIS LINE

Date: / /
Time: AM PM
Allergies:

RECEIVED
Date: _____
Time: _____
Receiving Nurse Initials <u> </u>

(S)ubjective:

(O)bjective (V/S): T: _____ P: _____ R: _____ BP: _____ WT: _____

(A)ssessment:

(P)lan:

Refer to: MD/PA Mental Health Dental Daily Treatment Return to Clinic PRN
CIRCLE ONE

Check One: ROUTINE () EMERGENCY ()

If Emergency was PHS supervisor notified: Yes () No ()

Was MD/PA on call notified: Yes () No ()

SIGNATURE AND TITLE

WHITE: INMATES MEDICAL FILE

YELLOW: INMATE RETAINS COPY AFTER NURSE INITIALS RECEIPT

EXHIBIT#(B)



PRISON
HEALTH
SERVICES
INCORPORATED

PRISON HEALTH SERVICES, INC.
SICK CALL REQUEST

Print Name: George Parker Date of Request: 9-10-06
ID # 140922 Date of Birth: 5-28-74 Location: D3-2B
Nature of problem or request: I am sick with emotional distress,
and mental distress, and physical distress. I am
worrying about my lawsuits I have

George Parker
Signature

DO NOT WRITE BELOW THIS LINE

Date: / /
Time: AM PM
Allergies:

RECEIVED
Date: _____
Time: _____
Receiving Nurse Initials _____

(S)ubjective:

(O)bjective (V/S): T: _____ P: _____ R: _____ BP: _____ WT: _____

(A)ssessment:

(P)lan:

Refer to: MD/PA Mental Health Dental Daily Treatment Return to Clinic PRN
CIRCLE ONE

Check One: ROUTINE () EMERGENCY ()

If Emergency was PHS supervisor notified: Yes () No ()

Was MD/PA on call notified: Yes () No ()

SIGNATURE AND TITLE

WHITE: INMATES MEDICAL FILE

YELLOW: INMATE RETAINS COPY AFTER NURSE INITIALS RECEIPT

PLAINTIFF

EXHIBIT#(C)

PRISON
HEALTH
SERVICES
INCORPORATED

PRISON HEALTH SERVICES, INC. SICK CALL REQUEST

Print Name: George Parker Date of Request: 9-3-06
 ID # 140922 Date of Birth: 2-18-61 Location: D3-2B
 Nature of problem or request: I am requesting to see the
Doctor because I am having a hard time with
Emotional Distress, mental Distress, Physical Distress
I am worrying about my family, I can't see them
George Parker
 Signature

DO NOT WRITE BELOW THIS LINE

Date: / /
 Time: AM PM
 Allergies:

<p>RECEIVED</p> <p>Date: <u> </u>/<u> </u>/<u> </u></p> <p>Time: <u> </u> AM <u> </u> PM</p> <p>Receiving Nurse Initials <u> </u></p>

(S)ubjective:

(O)bjective (V/S): T: P: R: BP: WT:

(A)ssessment:

(P)lan:

Refer to: MD/PA Mental Health Dental Daily Treatment Return to Clinic PRN
 CIRCLE ONE

Check One: ROUTINE () EMERGENCY ()

If Emergency was PHS supervisor notified: Yes () No ()

Was MD/PA on call notified: Yes () No ()

SIGNATURE AND TITLE

WHITE: INMATES MEDICAL FILE

YELLOW: INMATE RETAINS COPY AFTER NURSE INITIALS RECEIPT



**PRISON HEALTH SERVICES, INC.
SICK CALL REQUEST**

Print Name: George Parker Date of Request: 9-2-06
 ID # 140922 Date of Birth: 2-28-61 Location: D3-20
 Nature of problem or request: I am sick with Emotional Distress, Mental Distress, and physical Distress
I am ~~was~~ worrying about I can't see my Family
George Parker
 Signature

DO NOT WRITE BELOW THIS LINE

Date: ___/___/___
 Time: _____ AM PM
 Allergies: _____

<p align="center">RECEIVED</p> <p>Date: _____</p> <p>Time: _____</p> <p>Receiving Nurse Initials _____</p>

(S)ubjective:

(O)bjective **(V/S):** T: _____ P: _____ R: _____ BP: _____ WT: _____

(A)ssessment:

(P)lan:

Refer to: MD/PA Mental Health Dental Daily Treatment Return to Clinic PRN
 CIRCLE ONE

Check One: ROUTINE () EMERGENCY ()

If Emergency was PHS supervisor notified: Yes () No ()
 Was MD/PA on call notified: Yes () No ()

 SIGNATURE AND TITLE

WHITE: INMATES MEDICAL FILE

YELLOW: INMATE RETAINS COPY AFTER NURSE INITIALS RECEIPT

CBR716-3

ALABAMA DEPARTMENT OF CORRECTIONS
INMATE SUMMARY AS OF 08/23/2006INST: 070
CODE: CDRVK

AIS: 00140922B INMATE: PARKER, GEORGE STEVE RACE: B SEX: M
 INST: 070 - STATON CORRECTIONAL CENTER DORM: 00 JAIL CR: 000Y 06M 02D
 DOB: 02/28/1961 SSN: 423-86-5184 PREVIOUS AIS: P0093839
 ALIAS: "LITTLE SPECK", ALIAS: "TOO PIE",
 ALIAS: PARKER, GEORGE ALIAS: PARKER, GEORGE S
 ADM DT: 03/26/2004 DEAD TIME: 000Y 00M 00D
 ADM TYP: NEW COMIT FROM CRT W/O REV OF STAT: NEW COMIT FROM CRT W/O REV OF
 CURRENT CUST: MED-9 CURRENT CUST DT: 05/14/2004 PAROLE REVIEW DATE: JAN 2012
 SECURITY LEVEL: (4) FOJR

SERVING UNDER ACT446 LAW IN CLASS IV CURRENT CLASS DATE: 03/26/2004
 INMATE IS EARNING : PROHIBITED FROM EARNING GOODTIME

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
DALLAS	03/26/04	403000294	ASSAULT II	0182D	025Y 00M 00D CS
COURT COSTS : \$0000296			FINES : \$0000000	RESTITUTION : \$0000100	

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
025Y 00M 00D	09/23/2028	000Y 00M 00D	000Y 00M 00D	09/23/2028

INMATE LITERAL:

DETAINDER WARRANTS SUMMARY

INMATE CURRENTLY HAS NO DETAINDER WARRANT RECORDS

ESCAPEE-PAROLE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION 754 RECORDS

INMATE HAS NO ESCAPES FROM ADOC SINCE OBSCIS RECORDING 6

DISCIPLINARY/CITATION SUMMARY

>> DISCIPLINE: 08/14/2006 TIME LOST: 00Y00M00D CUST FROM MED9 TO MED9
 DISCIPLINE TYPE: MAJOR AT INST: 070 RULE NUMBER: 56
 RETAINED DAYS: 0000 SEQ #: 05 RULE LIT: FAIL TO OBEY A DIRECT ORDER OF DO

>> DISCIPLINE: 02/24/2006 TIME LOST: 00Y00M00D CUST FROM MED9 TO MED9
 DISCIPLINE TYPE: MAJOR AT INST: 070 RULE NUMBER: 64
 RETAINED DAYS: 0000 SEQ #: 04 RULE LIT: POSSESSION OF CONTRABAND

CONTINUED ON NEXT PAGE

C8R716-3

ALABAMA DEPARTMENT OF CORRECTIONS
INMATE SUMMARY AS OF 08/23/2006INST: 070
CODE: CDRVK

***** CONTINUATION *****

AIS: 001409228 INMATE: PARKER, GEORGE STEVE RACE: B SEX: M

DISCIPLINARY/CITATION SUMMARY

>> DISCIPLINE: 02/24/2006 TIME LOST: 00Y00M00D CUST FROM MED9 TO MED9
DISCIPLINE TYPE: MAJOR AT INST: 070 RULE NUMBER: 64
RETAINED DAYS: 0000 SEQ #: 03 RULE LIT: POSSESSION OF CONTRABAND

>> DISCIPLINE: 12/06/2005 TIME LOST: 00Y00M00D CUST FROM MED9 TO MED9
DISCIPLINE TYPE: MAJOR AT INST: 070 RULE NUMBER: 57
RETAINED DAYS: 0000 SEQ #: 02 RULE LIT: INSUBORDINATION

>> CITATION: 05/03/2005 CUST FROM MED9 TO MED9
CITATION TYPE: BEHAVIOR CITATION AT INST: 037 RULE NUMBER: 85
RETAINED DAYS: 0000 SEQ #: 01 RULE LIT: VIOLATION OF INSTIT. RULES OR REG

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION
SEP 20 2006

GEORGE PARKER, 140927,

Plaintiff,

v.

GWENDOLYN GIVENS, et al.,

Defendants.

CIVIL ACTION NO. 2:06-cv-649-WHA

AFFIDAVIT

State of Alabama :

Elmore County :

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared Levan Thomas, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Levan Thomas. I am presently employed as a Correctional Warden II with the Alabama Department of Corrections at Staton Correctional Facility, P.O. Box 56, Elmore, Alabama 36025. I am over twenty-one years of age and have personal knowledge of the facts set forth below.

I have reviewed the complaint of Inmate George Parker and this is my response to his complaint.

In this civil action, Inmate Parker was given a disciplinary for Violation of Rule #57 – Insubordination by Officer Roosevelt Lewis. Inmate Parker alleges excessive force was used to stop Inmate Parker from talking to himself while waiting to see the doctor.

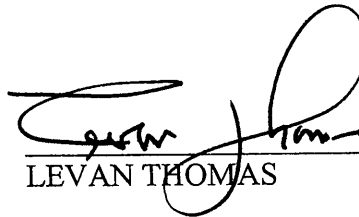
EXHIBIT A

Inmate Parker alleges been written up for talking. Inmate Parker was written a disciplinary by Officer Roosevelt Lewis for the choice of words being used when he was talking. Inmate Parker was charged with 'Insubordination' to which, at the disciplinary hearing, Inmate Parker pled guilty to the charge.

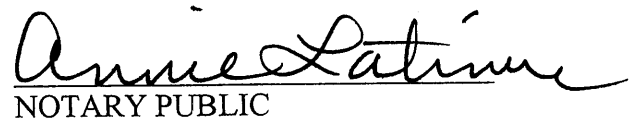
Warden Thomas verbally reprimanded Inmate Parker concerning Inmate Parker negative behavior and advised Sgt. Sharon Rogers to have Inmate Parker placed in Staton's Holding Tank, pending disciplinary action for Rule Violation #57-Insuborniation.

To my knowledge, the above- related facts are the entirety of my involvement with Inmate George Parker concerning the allegations on which his complaint is based.

I deny that I have violated any well-established civil rights of Inmate Parker.


LEVAN THOMAS

SWORN TO and SUBSCRIBED before me this 14 day of August 2006.


NOTARY PUBLIC

12/06/2008
My Commission Expires:

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGE PARKER, #140922)
)
Plaintiff,)
)
v.) CIVIL ACTION NO.2:06-CV-649-WHA
)
GWENDOLYN GIVENS, et. al.,)
)
Defendants.)

AFFIDAVIT

State of Alabama :

Elmore County :

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared Sharon Rogers, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Sharon Rogers. I am presently employed as a Correctional Officer II with the Alabama Department of Corrections at Staton Correctional Facility, P.O. Box 56, Elmore, Alabama 36025. I am over twenty-one years of age and have personal knowledge of the facts set forth below.

I have reviewed the complaint of Inmate George Parker and this is my response to his complaint.

In this civil action, Inmate Parker was given a disciplinary for violation of Rule #57-Insubordination by Officer Roosevelt Lewis. Inmate Parker alleges excessive force was used to stop Inmate Parker from talking to himself while waiting to see the doctor.

EXHIBIT B

Inmate Parker alleges Sgt. Rogers conspired with Warden Thomas to lock Inmate Parker up for being insubordinate to Officer Lewis. Inmate Parker alleges that Sgt. Rogers wrote the disciplinary for Officer Roosevelt Lewis. Screening disciplinary reports are a task that the Supervisors are given as one of their duties.

To my knowledge, the above- related facts are the entirety of my involvement with Inmate George Parker concerning the allegations on which his complaint is based.

I deny that I have violated any well-established civil rights of Inmate Parker.


SHARON ROGERS

SWORN TO and SUBSCRIBED before me this 14 day of August 2006.


NOTARY PUBLIC

12/06/2008
My Commission Expires:

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGE PARKER, #140922)
)
Plaintiff,)
)
v.) CIVIL ACTION NO.2:06-CV-649-WHA
)
GWENDOLYN GIVENS, et. al.,)
)
Defendants.)

AFFIDAVIT

State of Alabama :

Elmore County :

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared Roosevelt Lewis, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Gwendolyn Givens. I am presently employed as a Correctional Officer II with the Alabama Department of Corrections at Staton Correctional Facility, P.O. Box 56, Elmore, Alabama 36025. I am over twenty-one years of age and have personal knowledge of the facts set forth below.

I have reviewed the complaint of Inmate George Parker and this is my response to his complaint.

In this civil action, Inmate Parker received a disciplinary for violation of rule #57- Insubordination by Officer Roosevelt Lewis. Sergeant Gwendolyn Givens was the Hearing Officer for the disciplinary. Inmate George Parker's plea at the Disciplinary Hearing was 'Guilty' to the charge of rule violation #57- Insubordination.

EXHIBIT C

To my knowledge, the above-related facts are the entirety of my involvement with Inmate George Parker concerning the allegations on which his complaint is based.

I deny that I have violated any well-established civil rights of Inmate Parker.


GWENDOLYN GIVENS

SWORN TO and SUBSCRIBED before me this 14 day of August 2006.


NOTARY PUBLIC

12/06/2008
My Commission Expires:

To my knowledge, the above-related facts are the entirety of my involvement with
Inmate George Parker concerning the allegations on which his complaint is based.

I deny that I have violated any well-established civil rights of Inmate Parker.



ROOSEVELT LEWIS

SWORN TO and SUBSCRIBED before me this 14 day of August 2006.



NOTARY PUBLIC

12/06/2008
My Commission Expires:

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGE PARKER, #140922)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO.2:06-CV-649-WHA
)
 GWENDOLYN GIVENS, et. al.,)
)
 Defendants.)

AFFIDAVIT

State of Alabama :

Elmore County :

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared Relford Kendrick, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Relford Kendrick. I am presently employed as a Correctional Officer I with the Alabama Department of Corrections at Staton Correctional Facility, P.O. Box 56, Elmore, Alabama 36025. I am over twenty-one years of age and have personal knowledge of the facts set forth below.

I have reviewed the complaint of Inmate George Parker and this is my response to his complaint.

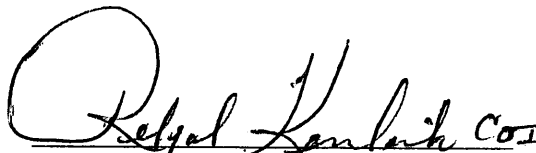
In this civil action, Inmate Parker received a disciplinary for violation of rule #57- Insubordination by Officer Roosevelt Lewis. Officer Kendrick was tasked with doing the CELL BLOCK INSPECTION SHEET on the Unit Inmate Parker was being

EXHIBIT E

placed in after being verbally reprimanded by Warden Thomas concerning Inmate Parker negative behavior.

To my knowledge, the above-related facts are the entirety of my involvement with Inmate George Parker concerning the allegations.

I deny that I have violated any well-established civil rights of Inmate Parker.


RELFORD KENDRICK

SWORN TO and SUBSCRIBED before me this 14 day of August 2006.


NOTARY PUBLIC

12/06/2008
My Commission Expires:

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGE PARKER, #140922)
)
Plaintiff,)
)
v.) CIVIL ACTION NO.2:06-CV-649-WHA
)
GWENDOLYN GIVENS, et. al.,)
)
Defendants.)

AFFIDAVIT

State of Alabama :

Elmore County :

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared Grayling Davis, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Grayling Davis. I am presently employed as a Correctional Officer I with the Alabama Department of Corrections at Staton Correctional Facility, P.O. Box 56, Elmore, Alabama 36025. I am over twenty-one years of age and have personal knowledge of the facts set forth below.

I have reviewed the complaint of Inmate George Parker and this is my response to his complaint.


In this civil action, Inmate parker received a disciplinary for violation of rule #57- Insubordination by Officer Roosevelt Lewis. Officer G. Davis was tasked with serving the INMATE DETENTION NOTIFICATION and the ALABAMA DEPARTMENT OF CORRECTIONS DISCIPLINARY REPORT on Inmate Parker after Inmate Parker

EXHIBIT F

was placed in the single cell.

To my knowledge, the above-related facts are the entirety of my involvement with Inmate George parker concerning the allegations.

I deny that I have violated any well-established civil rights of Inmate Parker.


GRAYLING DAVIS

SWORN TO and SUBSCRIBED before me this 14 day of August 2006.


NOTARY PUBLIC

12/06/2008
My Commission Expires:

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGE PARKER, #140922)
)
Plaintiff,)
)
v..) CIVIL ACTION NO.2:06-CV-649-WHA
)
GWENDOLYN GIVENS, et.al.,)
)
Defendants)

AFFIDAVIT

State of Alabama :

Elmore County :

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared Annie Latimore, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Annie Latimore. I hereby certify and affirm that I am the Alternate Custodian of Records at Staton Correctional Facility, P. O. Box 56, Elmore, Alabama 36025. I am over twenty-one years of age and am competent to testify to the matters stated herein.

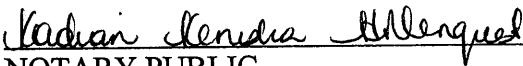
The attached *State of Alabama, Department of Corrections Institutional Incident Report* number SCF-05-1230 consisting of five pages, and *Alabama Department of Corrections Disciplinary Reports* number SCF-05-1230 consisting of three pages and one page respective are true, and exact and correct photocopies of documents maintained here in the institutional files.

EXHIBIT H

I further certify and affirm that said documents are maintained in the usual and ordinary course of business at Staton Correctional Facility and that said documents and entries therein were made reasonably near the time that such acts, events and transactions referred to therein are said to have occurred.


ANNIE LATIMORE

SWORN TO and SUBSCRIBED before me this _____ day of August 2006.


NOTARY PUBLIC

04/04/10
My Commission Expires: